

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

IVAN VAZQUEZ-ALOMAR,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil No. 04-1363 (JAF)

(Criminal No. 99-326)

O R D E R

Petitioner, Iván Vázquez-Alomar, requests a certificate of appealability from this court to appeal our dismissal on April 22, 2005, of his 28 U.S.C. § 2255 petition. See 28 U.S.C. § 2253(c)(2) (1996).

A certificate of appealability may be granted only upon a substantial showing of the denial of a constitutional right. 28 U.S.C. §§ 2253(c)(2) and (3) (1996). Upon reviewing the record, we find Petitioner's claim entirely insubstantial for the reasons stated in the Magistrate-Judge's Report and Recommendation of April 6, 2005, Docket Document No. 11, adopted by the court on April 22, 2005, Docket Document No. 12. Accordingly, we **DENY** Petitioner's request for a certificate of appealability, Docket Document No. 21.

IT IS SO ORDERED.

San Juan, Puerto Rico, this 12th day of July, 2006.

S/José Antonio Fusté
JOSE ANTONIO FUSTE
Chief U. S. District Judge